

3655. Adulteration of tomato pulp. U. S. v. 30 Cases of Tomato Pulp. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 5768. I. S. No. 22435-h. S. No. E-63.)

On June 26, 1914, the United States attorney for the Southern District of Georgia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 30 cases, each containing 4 dozen cans of tomato pulp, remaining unsold in the original unbroken packages at Savannah, Ga., alleging that the product had been shipped on or about June 17, 1914, and transported from the State of Maryland into the State of Georgia and charging adulteration in violation of the Food and Drugs Act. The product was labeled: "Nigger Head Brand Tomato Pulp (For Soup)—Made from Tomatoes and Tomato Trimings—Distributed by Aughinbaugh Canning Company, Baltimore, Md., U. S. A. Factories: Baltimore, Md., U. S. A., and Milford, Del., U. S. A."

Adulteration of the product was alleged in the libel for the reason that it consisted in whole or in part of a decomposed vegetable substance.

On September 5, 1914, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

D. F. HOUSTON, *Secretary of Agriculture.*

WASHINGTON, D. C., *March 26, 1915.*